BLAMES BOARD OF NEW HAVEN

Commerce Commission Arraigns Directors for Fatal Wrecks.

NEGLIGENCE IS CHARGED

"Confiding Public" Said to Have Overestimated the Officials.

EMPLOYEES ACCUSED ALSO

Report Urges That Railroads Be Forced by Congress to Make Travelling Safe.

WASHINGTON, Sept. 24.—The Inter-state Commerce Commission's report put-ting the responsibility for the Walling-ford wreck with its twenty-one fatalities squarely on the shoulders of the man-agement and directors of the New York New Haven and Hartford Railroad is the harshest finding ever handed down by

The report, which was made public today, sets forth the names of the directors, beginning with William Rockefeller and Pierpont Morgan and extending through

for a railroad wreck directly at the dor of the directors.

The commission makes important recommendations for the immediate safeguarding of lives of passengers on the New Haven road. It urges the providing of an adequate method for ogtaining a space or interval between trains pending the installation of the new block signal systems. It urges also the running of all trains under full control in foggy weather and a change in the rules regarding the sending out of a flagman.

Tirges Employing More Men.

That of his associates improve the safety of passenger travel upon this company's lines.

The president was never apparently called upon, nor was any other official of the road, to present to the directors any result of such searching investigation as had been authorized or to get any information as to what particular action had been or was to be taken to conduce to greater safety.

"The directors assumed to dispose of their whole responsibility of this subject by a vote depositing it in bulk upon the president, and thereafter, as far as appears from the records, made no further inquiry and took no further action, although a quick succession of these disasters continued.

clude the right to fix the limit of speed for passenger trains.

The commission finds that the direct cause of the wreck was the failure of employees properly to perform their duties. They charge Flagman Murray with failure properly to protect his train and condemn the engineers of both trains for failing to control the speed in such a way as to bring their trains to a stop before passing the automatic signals.

While the accident was due directly to the failure of employees to perform their duties, the commission finds that the steppal system of the road was entirely

inadequate and that there was a deplor-able lack of supervision on the part of operating officers.

"On this account," says the report, "the inditions which led up to this accident possible.

portion of the report which lays esponsibility upon the directors fol-

Merger Overloaded Officials.

"In the 'New England investigation' report of this commission (June 20, 1913) it was said.
"If it were properly to be consid-

"If it were properly to be considdered here, however, we would give weight
to the suggestion that the merger has so
overloaded the executive heads of the
entire asgregation as to impair not
only the correct and economical financial administration, but also the efficiency
and safety of operation."

"In reports by this commission of the
investigation of previous accidents on
this railroad defects of management,
neglect of obvious precautions for safety,
ineffective rules, and these not systeminterfective rules, and these not

as a general weakness of discipline, have been denounced and condemned.

"It is astounding that this state of affairs is allowed to continue to exist.

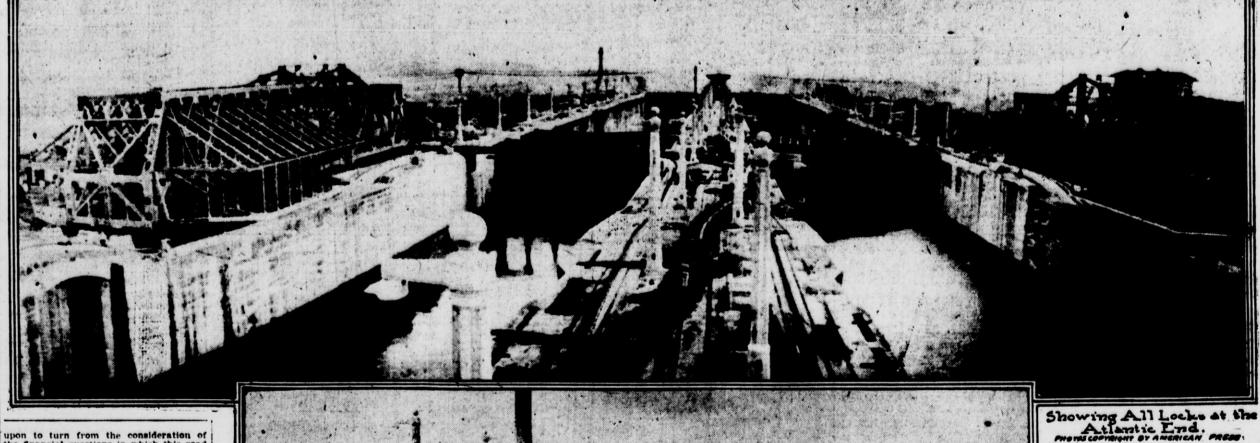
"The directors of this railroad as shown in Poor's Manual for 1912 were:

"William Rockefeller of New York, J. Pierpont Morgan, New York; George McCulloch Miller, New York; George McCulloch Miller, New York; Charles M. Pratt. New York; George F. Baker, New York; Nathaniel Thayer, Boston; Amory A. Lawrence, Boston; Alexander Cochrane, Boston; Charles F. Brooker, Ansonia, Conn.; George J. Brush, New Haven; Charles S. Mellen, New Haven; James S. Hemingway, New Haven; Frederick F. Brewster, New Haven; Frederick F. Brewster, New Haven; De Ver H. Warner, Bridgeport; Edwin Milner, Moosup, Conn.; William Skinner, Holyoke, Mass.; D. Newton Barney, Farmington, Conn.; Robert W. Taft, Providence; James S. Elton, Waterbury; James McCrea, Philadelphia; Henry K. McHarg, Stamford; John L. Billard, Meriden, Conn.; Edward Milligan, Hartford, Conn.; Charges in Directors.

"The Manual for 1913 shows the same list with the exception that the names of Nathaniel Thayer, Amery A. Lawrence, George J. Brush and James McCres do not appear, and the following names have been added: T. N. Vall, Boston; S. W. Winslow, Boston; A. S. May, Bridgeport; Samuel Rea, Philadel-"The Manual for 1913 shows the same

"On this directorate were and are men whom the confiding public recognize as magicians in the art of finance and wiz-

First Pictures Showing the Gatun Lock System Completed



upon to turn from the consideration of the financial questions in which this road is involved and for a time at least give the benefit of their consideration and judgment to the question of safety.

Act After Westport Wreck.

J. Pierpont Morgan and extending through a long list of men well known in the financial and railroad world.

Some of these men the commission described as having been considered by a confiding public as "magicians in the art of finance and wizards in the construction, operation and consolidation of great systems of railroads."

"Experience has shown that this reliance of the public was not justified as to either finance or safety," according to the findings of the commission.

To-day's report is the first one in which the commission has laid the blame for a railroad wreck directly at the dor of the directors.

The commission makes important

Until the signal system is made adequate the commission urges the railroad to increase the number of men on its train crews, so that flagmen who are sent back will not have to return to their trains, but may be picked up later.

Legislation by Congress is urged fixing a time limit for the equipment of all fast passenger trains with steel cars.

The commission announces also its decision to ask for legislation making its recommendations binding. This will include the right to fix the limit of speed for passenger trains.

render nugitory to a large extent all efforts to maintain effective discipline. Rules that are not intended to be enforced have no proper place in a railroad company's code of regulations, and when the operating officers of a railroad per-mit rules which have been established to secure safety to be violated with impu-nity they cannot reasonably expect to escape responsibility for the consequences of such violations.

"This commission has heretofore expressed in strong terms its condemnation of the management of this railroad.

"Man failure' in this case began high up in official authority, and it was not an unnatural sequence that it reached down to those in positions lower in official rank, but still weighted with great

omeial rank, but still weighted with great responsibility.

"Discipline was weak and ineffective; certainly a fault of the management, "Rules were inefficient, a fault of the higher officials.

"Rules were inadequately enforced, the blama for which must be charged to the

Responsibility With Management.

Responsibility With Management.

"The proper spacing of the trains was a matter for which not the train employees, but the management of the railroad was responsible.

"It is not necessary here to attempt to outline the technical rule of law governing the obligation of directors as trustees for the corporation, for the aggregate body of their stockholders and for the public. Suffice it to say that there can be little doubt that this legal obligation is more stringent than seems to be the generally accepted belief of many men of large fortunes who occupy many positions of this character.

"The rule is that where a corporation is handling agencies dangerous to life its directors are required to exercise such reasonable supervision over the management of their company's business as will result in the observance of the utmost care on the part of subordinates.

"Directors by law are not mere figureheads, nor are their duties confined to the mere direction of the finances of a corporation. This duties are such that mere proporation.

heads, nor are their duties confined to the mere direction of the finances of a corporation. Their duties are such that mere delegation of them if they are not in fact performed does not satisfy the legal obligation unless there has been ordinary business care and diligence in supervision. "The duty of safeguarding against the hasards inhering in this business cannot be divested from themselves by a mere vote delegating it upon another unless there is an exercise of the legal standard of care and diligence in supervision to of care and diligence in supervision ascertain and know that it is performed.

Mere Voting Does Not Excuse.

The pictures shown above are from the first photographs taken on the Panama Canal showing the water in the Gatun Lake and Culebra cut, will be destroyed by dynamite on locks and in the great Gatun Lake, which is now rapidly filling.

With the actual work of digging completed everything is in readiness for letting the waters of the Atlantic and Pacific oceans into the big cut across the Panama Canal a reality.

The Gatun Lake and Culebra cut to be about 110 square miles in extent. Will cover an area of more than 200 to be about 110 square miles in extent. Will cover an area of more than 200 to be about 110 square miles in extent. Will cover an area of more than 200 to be about 110 square miles in extent. Will cover an area of more than 200 to be about 120 square miles. It was constructed to overly come the obstacle to the constant overly of these great monoliths, said that any of the canal caused by the constant overly of these great monoliths, said that any of the canal caused by the constant overly of these great monoliths, said that any of the canal caused by the constant overly of these great monoliths, said that any of the canal caused by the constant overly of these great monoliths, said that any of the canal caused by the constant overly of these great monoliths, said that any of the canal caused by the constant overly of the cana

Centre Walle at Gatum Locks Extending into

"This typifies the whole situation. They assumed the vote was self-enforcing.

"The president, general manager and superintendents issued orders that all rules should be obeyed, and that employees should take all precautions for safety. But no intelligent system was devised by which to ascertain when rules were disobeyed."

"Rules were disobeyed,"

"Rules were disobeyed, and only a small proportion of these violations was made the subject matter of reports to efficials.

"Of some of the rules, as has recently been said by the general manager of this railroad when he issued new ones in their place, there had been 'convincing demonstrations' of their inadequacy.

Respect for Safety Rules Lost.

"Dereliction of duty by those who are charged with the making and the efforcement of safety regulations cannot fall to weaken respect for all rules and to render nugatory to a large extent all efforts to maintain effective discipline. Rules that are not intended to be enswerable, the direct and proximate cause of this disaster was the failure of those members of these train crews before re-ferred to to obey rules and to exercise the degree of care under the circum-stances which was commensurate with the grave responsibility resting upon them at the time.

No Blame Put on Elliott.

selected because of his ability and fitness as a railroad manager.

"It is to be hoped that he may be permitted to devote himself primarily to the problems of safety of operations which this railroad management is now under the highest compulsion of duty and humanity properly to solve.

"The Congress has made it the duty

such recommendations as circumstances

such recommendations as circumstances may require, but there has been no legislation by which such recommendations may be enforced.

"It is manifest that so long as compliance with the commission's recommendations remains discretionary the entire subject of safety of operation must remain dependent only upon the carrier's volition. The ignoring in whole or in part by carriers of such recommendations and the resulting fatsilities potently argue that safety of operation should not be left entirely to the discretion of any railroad, but in the light of recent disasters would seem to be a subject over which the Congress well might exercise its full authority, including the fixing of some definite time within which all high speed passenger trains shall be required to be made up exclusively of all steel cars. made up exclusively of all steel cars.

"Such recommendations as the commission may deem proper in these premises will be submitted to the Congress

in the commission's forthcoming annual report.

"The density of traffic on this railroad requires an adequate block signal system, and until the system now being installed between Springfield and New Haven is available for use an adequate method of providing a proper space interval between trains should forthwith be placed in operation.

ation.
"Definite instructions should be issued to enginemen and trainmen to approach signals in weather so foggy or stormy as to obscure in any degree the clear view of signals with trains under full con-trol. Such instructions should also be en-

"An adequate system of superintendence and supervision should be immediately ar-ranged, which will give those in authority definite and positive information as to whether or not the safety requirements and rules of this railroad are observed."

ROBBERS HIDE VICTIM IN WOODS

to Mellen When He Retired From Presidency.

Boston, Sept. 24.-The Public Service to-day on the petition of the New York. New Haven and Hartford Railroad for "Our reference to the management of this railroad in the past of course has no application to the new president, who was confronted with this accident on the day he took charge. Presumably he was selected because of his ability and fitness

On Monday the road filed with the commission, at its request, a partly itemized account of what the "other expenses were in the report of general expendi-"The Congress has made it the duty of this commission to investigate and report upon raflway accidents and to make \$337.469, and included payments to counsel, to advertising agencies and to some newspaper men employed at the State

> Chairman MacLeod in telling why he received money, said that four years ago the Massachusetts Railroad Commission constituted a special commission to have charge of the waterfront improvements in Springfield and provided that special commission be paid by that city and the New Haven, New York Central and Boston and Albany railroads. The chairman said that he presumed the \$700 item represented the New Haven's share of payment. He indorsed the check as chairman of the commission. Mr. Robbins in his argument said:

> as being an issue reasonably necessary for paying lawful indebtedness falling due for new equipment and cost of permanent additions to and improvements upon the railroad. There seems to be a suspicion that the officers and directors want to borrow more money than they need. It is hardly fair to Mr. Elliott and Mr. Hustis to entertain this suspicion.

"In the second place, a suspicion seems to be entertained that the directors and officers of the railroad are ignorant of financial conditions and are sacrificing the interests of the company by the terms of their contracts for raising money. Yet there is hardly one of them not connected with other large corporations who have to borrow large sums of money. "Two of them, Mr. Rea and Mr. Vail,

have had much experience lately with the difficulties of raising money in this market in their capacities of president respectively of the Pennsylvania Railroad Comcompany."

Commissioner Anderson indulged in a long debate with Counsel Robbins over the question as to whether or not the commission had the authority to approve

PROSECUTOR IN WRECK INQUIRY. N. Y. U. OPENS WITH 6,000.

Will Ald Coroner Fix Responsibility for L. I. Railroad Fatality.

District Attorney Matthew J. Smith of Queens county will aid Coroner Albert S. Ambler of Colege Point in the investigation into the cause of the wreck last Monday on the Whitestone branch of the North Shore division of the Long Island Railroad in which three employees of the railroad were killed and sixty-five passengers were injured. Resolutions have been passed by the united civic associations of Queens asking that inquiry be made concerning the equipment of the Long Island Railroad and demanding that the entire Whitestone branch be double tracked from the Flushing Junction to Whitestone Landing.

Walter R. Maize, who had charge of "J. C." tower and gave the signal to the castbound train to continue on its journey without knowing the whereabouts of the westbound train, which had been delayed on the single track twenty minutes.

The new \$90,000 building at the Heights

New York University entered upon its leakth. Mrs. Babenck, Mrs. Wets and the significance and all the schools.

New York University entered upon its eightly-second year yesterday with an encolment above \$,000. This represents a tubstantial increase in all the schools.

The formal exercises in connection with the eschools of applied in the auditorium at University Heights in the morning. Addresses were delivered by Dr. E. E. Brown, chancellor of the university: Dr. Charles Show, dean of school of applied science, and Lyof. Bouton.

The hounds were large to the Misses Green o. Eastanmpton. Miss Helen Buchaman and the Misses Green o. Eastanmpton.

Moore of Waternill, and S. B. Slich. The molimon the substantial increase in all the schools.

The formal exercises in connection with the coheston.

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The formal exercises in connection with the edublions in the open fields toward Wainscott. And the will also the wi

the westbound train, which had been de-layed on the single track twenty minutes by a shifting freight train, gave \$10,000 will be open for occupancy next Monday. Washing.on. by a shifting freight tram, and the bail yesterday and was released from the Queens county Jail. It is said that the towerman has offered to testify at Coroner Ambler's investigation. Maize denies that he was responsible for the accident, tennoon and voted unanimously to report favorably on the Raker bill which authorizes San Francisco to use the Hetchwith Mrs. John Bradford and Mrs. Noble with Mrs. John Bradford and Mrs. Noble is visiting with Mrs. E. S. Whitney.

BIG TIM'S DEATH ACCIDENT.

Detective Cant. Price However Says

Guard Admits Carelesaness. Assistant District Attorney Groch!

the investigation he is making into the death of Congressman Timothy D. Sulli-Among them were trainmen New Haven railroad and Capt. Price of the Bronx Detective Bureau.

After leaving Groehl's office Capt. Price said he had made a careful investigation

and had reached the conclusion that Mr. Sulliwan came to his death by accident. He said whatever blame there was ataches to Guard McClusky at the home the night he was killed. Capt. Price said the guard admits he did not watch his patient as carefully as he might have done.

WELCOME IN NEW THEATRE. We ask you to approve \$67,552,000 Reception to Sir Johnston and Lady Forbes-Robertson.

Lee and J. J. Shubert, the theatrical producers and managers, will entertain at tea on Monday afternoon at the new Shubert Theatre on West Forty-fourth street, near Broadway, which is nearing completion. The reception will be tendered to Sir Johnston and Lady Forbes-Robertson, who will open the theatre on October 2 in "Hamlet."

A number of prominent men and women in literary, theatrical and journalistic life have been invited. Addresses will be made by Sir Johnston Forbes-Robertson, E. H. Sothern, Augustus Thomas and De Wolf Hopper. Admission will be by invitation only. invitation only son are on the Mauretania, which is due

to arrive to-morrow morning.

5,000 AT ZUNSER FUNERAL. Great Crowds Throng Sidewalks as

Poet of the East Side Is Buried. The funeral of Eliakum Zunser, the Jewish poet whose verses became the household songs of thousands of his race, brought out a crowd of 5,000 persons on the East Side yesterday morning.

There was a service for the family at the poet's late home, 171 East Broadway, at 10 o'clock, and an hour later the public funeral was held at the Hebrew Sheltering Home. 229 East Broadway, a few

magicians in the construction, operation and consolidation of great systems of railroads. The public therefore rested secourse that with the knowledge of the railroad art possessed by such men investroad a

EIGHTH OF THE MEETS OF SUFFOLK HUNT CLUB

Ideal Weather Enjoyed by Southampton Guests and Colonists.

onditions to-day were ideal for the drag bunt of the Suffolk Hunt Club. This was the eighth of the meets, the meeting place being at the clubhouse grounds overlooking Mecox Bay. The beginning of the

New York University entered upon its Dana and the Misses Green o. Eastnamp-

clastic follower of the hounds during the

To Manufacturers:

Increased Enrolment.

spoke.
The new \$90,000 building at the Heights

"Nashville Offers Opportunity"

Those who may be contemplating moving South or establishing a branch in the South are invited to investigate the advantages of

Nashville, Tennessee

Central location.

Fine climate.

Lowest cost of living.

Satisfactory labor. Low freight rates.

John M. Gray, Jr., President of the Nashville Industrial Bureau, will be at the Vanderbilt Hotel, New York City, until October 1st, and will be pleased to confer with anyone interested, or address

> NASHVILLE INDUSTRIAL BUREAU Nashville, Tenn.